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23 Attorneys for Defendants

24 IN THE UNITED STATES DISTRICT COURT

25 FOR THE NORTHERN DISTRICT OF CALIFORNIA

26 KENNETH D. PHELON,

27 Plaintiff,

28 v.

JEREMY D. HAMMAN, ET AL.,

Defendants.

Case No.: C 09-03393 SBA

**ORDER GRANTING PLAINTIFF'S
MOTION TO AMEND**

Date: TBD
Time: TBD
Courtroom: 1, 4th Floor
Address: 1301 Clay Street
Oakland, CA 94612
Judge: Hon. Saundra Brown Armstrong

26 This Court has reviewed and considered the "Motion for Leave to Amend Complaint to
27 Add Plaintiff" filed by Plaintiff KENNETH D. PHELON ("Plaintiff"), and "Defendants' Statement of
28 Non-Opposition to Plaintiff's Motion for Leave to Amend" filed by Defendants, JEREMY D.

1 HAMMAN, JIM GARRIGAN, ALAMEDA COUNTY SHERIFF'S OFFICE, COUNTY OF
2 ALAMEDA, CITY OF OAKLAND and ROSS TISDELL ("Defendants").

3 Based on that review, the Court grants Plaintiff's Motion to Amend on the grounds that
4 Plaintiff is permitted to amend his Complaint once as a matter of right pursuant to Federal Rule
5 of Civil Procedure 15(a)(1).

6 The Court further orders that Plaintiffs fully amend the Complaint within fourteen days in
7 order to plead Jolicia Kelley into the case.

8 Defendants are granted 30 days from the date of filing of the Amended Complaint to file
9 responses.

10
11 DATED: 1/11/10


12 _____
13 HON. SAUNDRA BROWN ARMSTRONG

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA
5 KEN PHELON,

6
7 Plaintiff,
8 v.
9 JEREMY D. HAMMAN et al,
10 Defendant.

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12
13 Case Number: CV09-03393 SBA
14
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16 **CERTIFICATE OF SERVICE**
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18

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

That on 1/10/10January 11, 2010, I SERVED a true and correct copy(ies) of the attached, by
placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
delivery receptacle located in the Clerk's office.

1
2
3 Kenneth D. Phelon

4 2932 - 55th Avenue

5 Oakland, CA 94605

6
7 Dated: 1/10/10January 11, 2010

8 Richard W. Wieking, Clerk

9 By: LISA R CLARK, Deputy Clerk